

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:01-CR-187

v.

HON. ROBERT HOLMES BELL
ANDRE LAMONT HAMPTON,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #28). Based on a review of defendant's motion, the Amended Sentence Modification Report, submissions by counsel on behalf of the defendant and the government, and the original criminal file, the Court has determined that the motion should be denied for the following reason(s):

Defendant was sentenced on February 4, 2002 to a term of 156 months. At the time of sentencing, the Court granted a one-level departure for substantial assistance, and found that the career offender status significantly over-represented defendant's criminal history. These ruling resulted in a substantial lowering of the guideline range under which defendant was sentenced. In addition, a review of the Amended Sentence Modification Report shows that defendant has incurred approximately ten disciplinary sanctions while incarcerated.

For the above reasons, the Court does not believe that a modification of his sentence is warranted. Accordingly, defendant's Motion for Modification or Reduction of Sentence is hereby **DENIED**.

DATED: April 5, 2010

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE